

**Notice of Allowability**

Application No.

10/063,472

Examiner

JAMES C. KERVEROS

Applicant(s)

OZAKI, HIDEHARU

Art Unit

2138

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment after Final filed 5/30/2006.
2. ☒ The allowed claim(s) is/are 1-4, 21-24, 30, 32, 37 and 38. Renumbered as claims 1-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

JAMES C. KERVEROS  
Examiner, Art Unit 2138

### **NOTICE OF ALLOWANCE**

This is a Notice of Allowance in response to Amendment after Final filed 5/30/2006, which is in reply to the Final Office Action, dated 2/24/2006.

Claims 1-38 were previously pending. Claims 5-20, 25-29, 31 and 33-36 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a non-elected species. Claims 1-4, 21-24, 30, 32, 37 and 38 have been elected without traverse.

This application is in condition for allowance except for the presence of claims 5-20, 25-29, 31 and 33-36 directed to a non-elected species without traverse. Accordingly, claims 5-20, 25-29, 31 and 33-36 have been cancelled.

### ***Allowable Subject Matter***

Claims 1-4, 21-24, 30, 32, 37 and 38 are allowed. Renumbered as claims 1-12.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 5-20, 25-29, 31 and 33-36 have been cancelled.

### REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

In a telephone interview with Paul Esatto, attorney for Applicant, held on May 12, 2006, Examiner James Kerveros indicated that independent claim 1 recites the limitation of "a gate signal occurring at a predetermined time delay after an edge of the test clock", which fails to properly describe the relation of the time delay between the gate signal and the edge of the test clock, as shown in Figures 3 and 4. In a further telephone interview held on May 24, 2006, both the Examiner and attorney for Applicant agreed on a proposed amendment that overcomes the claim 1 issue, and which is now part of the claimed invention filed with present amendment on 5/30/2006.

The prior arts of record taken alone or in combination fail to teach, anticipate, suggest or render obvious the claimed invention, as recited in the independent claim 1, of a test circuit for a scan path test, including among other limitations, a two-pulse generator for generating a gate signal to extract two pulses from a test clock and a latch gate circuit for outputting two pulses from the test clock according to the gate signal, the gate signal generator generating one of a positive and negative edge of the gate signal at a predetermined time delay after a negative edge of the test clock as measured from an input timing of a control signal.

Consequently, claims 1-4, 21-24, 30, 32, 37 and 38 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2138

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES C. KERVEROS whose telephone number is (571) 272-3824. The examiner can normally be reached on 9:00 AM TO 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

U.S. Patent and Trademark Office  
Alexandria, VA 22314  
Tel: (571) 272-3824, Fax: (571) 273-3824  
[james.kerveros@uspto.gov](mailto:james.kerveros@uspto.gov)

Date: 20 June 2006  
Office Action: Allowance

JAMES C KERVEROS  
Examiner  
Art Unit 2138

By:  6/20/06